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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR07-365-TSZ
10)
11 Plaintiff,)
12)
13 v.)
14 ABDULKADIR SHEIKH ABU,)
15)
16 Defendant.)
17)
18)
19)
20)

21 Offense charged: Conspiracy to Commit Bank Fraud; Bank Fraud (two counts)

22 Date of Detention Hearing: November 16, 2007

23 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
24 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
25 that no condition or combination of conditions which defendant can meet will reasonably assure
26 the appearance of defendant as required and the safety of other persons and the community.

27 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

28 1. Defendant is either a naturalized citizen of the United States or a legal resident.

29 He grew up in Somalia, lived in Kenya for approximately 5 years, and then lived in Washington

01 DC before moving to Washington State. He has a fiancé who resides in Saudi Arabia. Pretrial
02 Services reports that the defendant did not divulge this fact, but that it was reported by his brother,
03 who indicated that the woman was defendant's wife. Defendant indicates that the brother was
04 mistaken and that the marriage has not yet occurred.

05 2. Defendant does not have a stable residence. He resides intermittently with either
06 family member or friends. There was some discrepancy in his report of his current residence and
07 that reported by others. Defendant is not currently employed. The AUSA proffers that
08 identification documents in his name with multiple social security numbers were found in his
09 possession.

10 3. The AUSA proffers that defendant attempted to flee at the time of arrest, an
11 allegation which the defendant contests. The AUSA further proffers that defendant allegedly
12 continued the check passing scheme undeterred after his co-conspirator was arrested.

13 4. Defendant allegedly reported that he has a gambling addiction. The case agent
14 reports that defendant met his alleged co-conspirator at a casino.

15 5. Defendant poses a risk of nonappearance due to his access to different forms of
16 identification, recent international travel, a fiancé who resides in Saudi Arabia, uncertainty as to
17 his current residence, unemployment, a possible gambling addiction, and alleged attempted flight
18 to avoid apprehension. He poses a risk of financial danger due to the ongoing nature of the
19 alleged scheme.

20 6. There does not appear to be any condition or combination of conditions that will
21 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
22 to other persons or the community.

01 It is therefore ORDERED:

- 02 (1) Defendant shall be detained pending trial and committed to the custody of the
03 Attorney General for confinement in a correction facility separate, to the extent
04 practicable, from persons awaiting or serving sentences or being held in custody
05 pending appeal;
- 06 (2) Defendant shall be afforded reasonable opportunity for private consultation with
07 counsel;
- 08 (3) On order of a court of the United States or on request of an attorney for the
09 Government, the person in charge of the corrections facility in which defendant is
10 confined shall deliver the defendant to a United States Marshal for the purpose of
11 an appearance in connection with a court proceeding; and
- 12 (4) The clerk shall direct copies of this Order to counsel for the United States, to
13 counsel for the defendant, to the United States Marshal, and to the United States
14 Pretrial Services Officer.

15 DATED this 16th day of November, 2007.

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18 Mary Alice Theiler
19 United States Magistrate Judge
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